

S/N 10/808,085**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: John Ratzloff

Examiner: Dave Ghatt

Serial No.: 10/808,085

Group Art Unit: 2854

Filed: March 24, 2004

Docket: 1449.001US2

Title: HINGE STRIPS FOR PRINTER PAPER

DECLARATION UNDER 37C.F.R.1.132

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

1. I, Paul Mott, am a Sales Representative at Midland Paper Company, located at 1860 Elm Street S.E. Minneapolis, Minnesota. Midland Paper Company is a National Distributor of Fine Printing Paper, Packaging and Industrial Supplies.

2. My experience qualifies me to give an opinion as to the matters stated below.

3. I have been in the paper industry field for 16 years. I have had extensive experience in both the technology and application of photo grade papers.

4. I have also gained knowledge through numerous training programs including "PrintWise" and "PaperWise." These training programs include identification and in depth study of all printing processes. These would include Laser, Inkjet, Offset Lithography, Flexography, Roto Gravure, UV (Ultra Violet) and Xerographic (Printwise). Paperwise included an in depth study of all paper properties and the manufacturing there of, as well as all coating and finishing practices in the industry.

5. I have also successfully completed the Graphic Arts Foundation Program at California Polytechnic State University.

6. I have sold paper having a photo-grade specification since 1989. These photo-grade papers include matte photographic, gloss photographic, and specialty uncoated grades with a photographic coated layer on one side.

7. There is a long understanding in the industry as to the specific meaning of photo-grade paper and all these papers meet the criteria.

8. The ISO has published a standard for Photo-grade media (ISO 18055-1).

Serial Number: 10/808,085
Filing Date: March 24, 2004
Title: HINGE STRIPS FOR PRINTER PAPER

Page 2
Dkt: 1449.001US2

9. ISO 18055-1 defines photo-grade medium as a paper or film with an image receiving layer that, when printed on, can produce image quality comparable with conventional photography, in terms of resolution, graininess, sharpness, tone reproduction and colour reproduction. The standard also states that a photo-grade medium has physical characteristics comparable with conventional photographic media including stiffness, mass, texture and durability, and is generally intended for inkjet printing of photographic images in high quality and demanding applications.

10. This standard confirms the meaning of photo-grade paper as used in the industry for as long as I have been selling photo-grade paper.

11. I have read and understood Patent No. 6,071,030.

12. Patent No. 6,071,030 describes paper that includes the specifications of 57# Vellum Bristol and 90# Index paper. (Col. 5, lines 9-12).

13. I submit this Declaration under 37 C.F.R. 1.132 in order to demonstrate that Patent No. 6,071,030 does not teach or describe "photo-grade paper," as that term is used in the field and defined by the ISO standard.

14. Paper that includes the specifications of 57# Vellum Bristol and 90# Index paper is not marketed or sold in the industry as photo-grade paper. As discussed above, photo-grade paper, as that term is understood in the field, has the following characteristics: it should produce image quality comparable with conventional photography in terms of resolution, graininess, sharpness, tone reproduction and colour reproduction. The photo-grade medium should have physical characteristics comparable with conventional photographic media including stiffness, mass, texture and durability.

15. The papers described in Patent 6,071,030 have the following physical characteristics: in the case of the 57# Vellum Bristol, it is a completely uncoated paper with no surface treatments to enhance the inkjet printing quality. It also has a very toothy finish (rough) which is directly opposite of a photo grade paper which must be very smooth. In the case of the 90# Index, this paper, although smoother than the vellum Bristol is still completely uncoated with no surface treatment to create photo grade quality. Thus, neither paper has physical characteristics comparable with conventional photographic media.

Serial Number: 10/808,085

Filing Date: March 24, 2004

Title: HINGE STRIPS FOR PRINTER PAPER

Page 3

Dkt: 1449.001US2

16. A photo printed on either of these papers would have the following qualities: the uncoated surface would allow the inkjet ink to absorb quickly and non-uniformly, thus creating a very grainy and uneven image when printed. The image receiving layer that true photo grade papers have do not allow this to happen. Photo grade papers allow virtually no ink absorption thus creating a crisp, clean dot, and photo quality printing. Thus, the papers described in Patent 6,071,030 would not produce an image quality comparable with conventional photography since the image would be grainy and uneven.

17. Accordingly, the paper described in Patent 6,071,030 does not fit the definition of "photo-grade paper," since it has none of the criteria of photo-grade paper as the term is understood in the industry and defined by standard ISO 18055-1.

18. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

6/9/06
Date


Paul Mott